

REMARKS

This is responsive to the Office Action mailed January 10, 2005 and includes voluntary amendments. Applicant thanks the examiner for her time to discuss the rejections in the telephone interview of February 7, 2005.

Voluntary amendments have been made to claims 1, 3, 4, and 6. These amendments are made, not in response to the Office Action or to overcome any prior of record, but solely to clarify the subject matter claimed.

Rejections under 35 USC §102(b)

Claims 1-6 stand rejected as being anticipated by U.S. Pat. No. 5,877,741 to Chee et al. ("Chee"). The Office Action is correct that Chee discloses a system and method for overlaying, by use of an overlay mux, display data provided in two display FIFOs. It is also correct that control logic is used to control the overlay mux, for selecting the data from the two FIFOs. Notwithstanding, Chee is not relevant to the claimed invention and the rejections do not rise to the level of a *prima facie* case.

All of the claims recite structures or steps for fetching selected image data from a memory and not fetching remaining image data from the memory. This may be contrasted with the typical prior art approach of fetching all of the data from the memory and only thereafter selecting the data to be displayed, such as by use of the overlay mux disclosed in Chee.

The Chee reference does not anticipate, as the reference does not address *how* data for display is selected other than through use of the overlay mux. Chee merely states (1) that "the graphics controller 2050 transfers both overlay data and background data from graphics memory 1960 to display 14/24 using separate pipelines" and (2) "the priority scheme identified in FIG. 10 is used to arbitrate requests that can be received from multiple FIFOs" Col. 19, lines 42 - 54.

Statement (1) merely indicates that data are transferred from the graphics memory to separate pipelines. There is no teaching or suggestion as to *how* this is done, so statement (1) has no relevance to the claimed invention.

Statement (2) indicates that arbitration is performed between memory requests issued from the separate pipelines. In other words, where two pipelines request data at

the same time, Chee would presumably determine which pipeline would be filled first. However, the timing of filling the pipelines is also irrelevant to what is claimed in the present application.

To reiterate, all of the claims recite structures or steps for fetching selected image data from a memory and not fetching remaining image data from the memory. Chee teaches nothing in this regard. Accordingly, while Chee is in the field of the invention, it is not material to patentability.

Accordingly, if there is to be a second Office Action, it should be non-final. Otherwise, Applicant respectfully submits that the case is in condition for allowance and should be passed to issue.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Richard A. Wilhelm".

Richard A. Wilhelm
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